

SUBCHAPTER 1. GENERAL PROVISIONS

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19:42-1.1 Definitions

The following words and terms, when used in this chapter, shall have the following meanings unless the context clearly indicates otherwise.

"Exclusion list" is defined at N.J.A.C. 19:48-1.1

"Letter Report" means a written report from the Division of Gaming Enforcement setting forth its position on an initial or renewal license application.

"OAL" means the Office of Administrative Law.

"Party" means any person or entity directly involved in a contested case, including petitioner, respondent, intervenor, or State agency proceeding in any such capacity.

"UAPR" means the Uniform Administrative Procedure Rules, N.J.A.C. 1:1.

As amended, effective: 01/18/94

As amended, effective: 09/05/95

19:42-1.2 Applicability of rules

(a) In addition to the UAPR, the provisions of the Casino Control Act and the rules in this chapter shall apply to the appropriate contested case hearing initiated pursuant to the Casino Control Act.

(b) To the extent that the act and the rules in this chapter are inconsistent with the UAPR, the former shall apply.

19:42-1.3 Right to a hearing

(a) The Commission shall not deny, refuse to renew or revoke any license or registration or place a candidate on the exclusion list unless it has first afforded the licensee, registrant or candidate for exclusion an opportunity for a hearing in accordance with law and the rules of the Commission.

(b) When the Commission has authority under the Act or the rules of the Commission to suspend a license or registration without first holding a hearing, it shall promptly upon exercising such authority afford the licensee or registrant an opportunity for a hearing in accordance with law and the rules of the Commission.

(c) This section shall not apply where:

1. The Act provides that the Commission is not required to grant a hearing in regard to the refusal to renew a license or registration; or

2. The Commission is required by law to refuse to renew a license or registration without exercising any discretion in the matter on the basis of a judgment of a court of competent jurisdiction.

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